GALLAGHER & LATHROP

A PROPESSIONAL CORPORATION INTELLECTUAL PROPERTY LAW

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FACSIMILE TRANSMISSION 571-273-3715

TO:

Examiner Thomas H. Stevens

FROM:

Jean Reed, Paralegal

DATE:

June 8, 2006

SUBJECT:

Serial # 10/638,232 - Inventor Medin's Declaration

OUR FILE:

TYM3137

Number of pages being sent (including cover sheet): ____6

TRANSMITTING FROM (415) 989-0910

As discussed by phone today, attached is a declaration of inventor David Medin for application number 10/638,232. The previous law firm and the OIPE failed to note the omission of this declaration. We are submitting the declaration in anticipation of your review of the file.

The attached signed Declaration was originally fax filed with the US PTO on April 26, 2006, but does not appear to have been entered into the system. We appreciate your having the Declaration and ADS scanned into the system. Also attached are the fax confirmation sheets for our previous fax and the US PTO's Auto Reply.

Thank you very much for your assistance in this matter.

Substitute for Form PTO/SB/01A

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

As a below named inventor, I declare:

I believe I am the original, first and sole inventor, or an original, first and joint inventor if more than one name is given below, of the subject matter which is claimed and for which a patent is sought in the invention described in:

- ☐ the attached application, or
- ☑ application No. 10/638,232 filed on August 7, 2003,
- ☑ as amended on October 14,2004;

I have reviewed and understand the contents of the application identified above, including the claims, as amended by any amendment specifically referred to above;

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of any prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my own knowledge are true, all statements made herein on information and belief are believed to be true, and these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor three: David L. Medin

Citizen of: United States of America

Signature

Date March 27.2006

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This collection of Information is required by 37 CFR 1.5. The Information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete application form to the USPTO. Time will vary depending upon the Individual case. Any comments on the gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the Information Officer, U.S. Patent and amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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